upa

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.1790 OF 2004

CenturyChemicals (A Division of Century Textiles and Industries Ltd.)).. Plaintiff

Versus

Amarjit Enterprises and another).. Defendants

Mr.H.V. Chande for the Plaintiff.

None present for the Defendants.

CORAM : SMT. NISHITA MHATRE, J.

DATED : 13TH MARCH 2006

P.C.:

. This Suit has been filed for a claim of Rs.6,29,500/- for goods sold and delivered to the Defendants. Five cheques for an amount of Rs.1,00,000/- each were issued by the Defendants in the name of the Plaintiffs, copies of which are annexed at Exhibit "D" to "I". These cheques have been dishonoured.

2. The Plaintiff has filed the affidavit of documents wherein the dishonoured cheques are annexed. Correspondence between the parties is also produced on record. All these documents indicate that the Plaintiff has proved its case based on goods sold and delivered.

3. The Plaintiff has filed an affidavit of service. Nobody appears for the Defendants. In my view, therefore, the decree must follow. There are no militating circumstances against the Plaintiff.

4. Suit decreed as prayed for.

5. Refund as per Rules.